



I hereby certify that this correspondence is being deposited with the United States Postal Service first class mail in an envelope addressed to:  
Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450,  
on November 19, 2004

Attorney Docket No. 402E-918405US

QUINE INTELLECTUAL PROPERTY LAW GROUP, P.C.

By

Amelia Weintraub  
Amelia Weintraub

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

BERMAN, Phillip W., et al.

Application No.: 09/103,262

Filed: June 23, 1998

For: **METHODS AND COMPOSITIONS FOR  
VACCINATION AGAINST HIV**

Examiner: Shanon A. Foley

Art Unit: 1648

**REQUEST FOR CORRECTED FILING  
RECEIPT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Attached is a copy of the official Filing Receipt received from the Patent and Trademark Office in the above-noted application for which issuance of a corrected filing receipt is respectfully requested.

There is an error in that the Domestic Priority data should read as follows:

**This appln is a CON of 08/802,361 02/19/1997 Pat 5,849,533**

**which is a CON of 08/226,162 04/11/1994 Pat 5,674,984**

**which is a DIV of 08/101,669 08/02/1993 ABN**

**which is a CON of 07/834,735 02/13/1992 ABN**

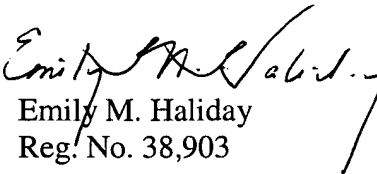
**which is a DIV of 07/504,785 04/03/1990 ABN**

In addition, please amend the title to read:

**HIV env Antibodies**

It is believed that no fee is due. If a fee is due, please charge Deposit Account  
No. 50-0893.

Respectfully submitted,

  
Emily M. Haliday  
Reg. No. 38,903

QUINE INTELLECTUAL PROPERTY LAW GROUP, P.C.  
P.O. BOX 458  
Alameda, CA 94501  
(510) 337-7871  
Fax (510) 337-7877

FILING RECEIPT



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

TT/LS

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
09/103,262	06/23/98	1643	\$1,638.00	402E-918405 US 006332202	8	25	12

GENENTECH INC  
460 POINT SAN BRUNO BOULEVARD  
SOUTH SAN FRANCISCO CA 94080

JUL 23 1998

GENENTECH, INC.  
LEGAL DEPT.

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Application Processing Division's Customer Correction Branch within 10 days of receipt. Please provide a copy of the Filing Receipt with the changes noted thereon.

Applicant(s)

PHILLIP W. BERMAN, PORTOLA VALLEY, CA; BRIAN M. FENDLY,  
HALF MOON BAY, CA; TIMOTHY J. GREGORY, HILLSBOROUGH, CA;  
ELORIAN M. WURM, FOSTER CITY, CA.

CONTINUING DATA AS CLAIMED BY APPLICANT-

THIS APPLN IS A CON OF ~~07/504,785 04/03/90 ABN~~  
08/802,361 02/17/97 Pat 5,849,533

FOREIGN FILING LICENSE GRANTED 07/14/98

TITLE

~~METHOD AND COMPOSITIONS FOR VACCINATION AGAINST HIV~~  
HIV ENV ANTIBODIES

PRELIMINARY CLASS: 435

which is a CON of 08/226,162 04/11/94 Pat 5,674,984  
which is a DIV of 08/101,669 08/02/93 ABN  
which is a CON of 07/834,735 02/13/92 ABN  
which is a DIV of 07/504,785 04/03/90 ABN

BEST AVAILABLE COPY

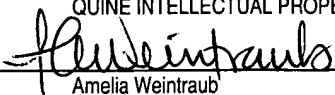


I hereby certify that this correspondence is being deposited with the United States Postal Service first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on November 19, 2004

Attorney Docket No. 402E-918405US

QUINE INTELLECTUAL PROPERTY LAW GROUP, P.C.

By

  
Amelia Weintraub

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

BERMAN, Phillip W., et al.

Application No.: 09/103,262

Filed: June 23, 1998

For: METHODS AND COMPOSITIONS FOR  
VACCINATION AGAINST HIV

Examiner: Shanon A. Foley

Art Unit: 1648

STATEMENT REGARDING DEPOSIT OF  
BIOLOGICAL MATERIAL PURSUANT  
TO 37 C.F.R. §§ 1.804(b) and 1.808(a)(2)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

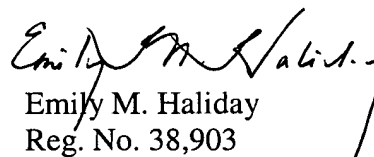
Sir:

I hereby state that:

1. The hybridoma cell lines designated 13H8, 11G5, 10F6, 10D8, 6E10, and 5B3 were deposited with the American Type Culture Collection, 12301 Parklawn Drive, Rockville, MD, USA under ATCC Accession Numbers CRL 10510, CRL 10511, CRL 10512, CRL 10513, CRL 10514, and CRL10515 respectively, on July 26, 1990. This deposit was made under the provisions of the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purpose of Patent Procedure and the Regulations thereunder (Budapest Treaty). A copy of the deposit receipt and viability statement for these deposited cell lines is attached hereto as Exhibit A.

2. Evidence that permanent availability of the microorganism is assured is provided in the form of the attached copy of the contract with the above-mentioned depository with respect to the deposited cultures.
3. I affirm that should the microorganisms mutate, become nonviable or be inadvertently destroyed, applicants will replace such microorganisms for at least 30 years from the date of the original deposit, or at least 5 years from the date of the most recent request for release of a sample or for the life of the any patent issued on the above-mentioned application, whichever period is longer.
4. That, with respect to availability of the cultures, I affirm that the deposit has been made under conditions of assurance that access to the cultures will be available during pendency of the patent application to one determined by the Commissioner to be entitled thereto under 37 CFR 1.14 and 35 USC 122.
5. The hybridoma cell lines deposited as ATCC Accession Numbers CRL 10510, CRL 10511, CRL 10512, CRL 10513, CRL 10514, and CRL10515 on July 26, 1990 are the same as the 13H8, 11G5, 10F6, 10D8, 6E10, and 5B3 cell lines identified in the above application.
6. Subject to 37 C.F.R. §1.808(b), all restrictions on the availability to the public of all the deposited cell lines referred to herein will be irrevocably removed upon the granting of a patent on the above application.

Respectfully submitted,

  
Emily M. Haliday  
Reg. No. 38,903



# American Type Culture Collection

12301 Parklawn Drive • Rockville, MD 20852 USA • Telephone: (301)231-5520 • Telex: 898-055 ATCCNORTH • FAX: 301-770-2587

## BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

### INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3  
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

To: (Name and Address of Depositor or Attorney)

Genentech, Inc.  
Attention: Laurie H. May  
460 Pt. San Bruno Boulevard  
South San Francisco, CA 94080

Deposited on Behalf of: Genentech, Inc.

Identification Reference by Depositor:

ATCC Designation

Cell line #809 13H8, NB11516P61	CRL 10510
• Cell line #774 11G5, NB11516P7	CRL 10511
• Cell line #775 10F6, NB11516P9	CRL 10512
• Cell line #776 10D8, NB11516P11	CRL 10513
Cell line #777 6E10, NB11516P13	CRL 10514
Cell line #778 5B3, NB11516P15	CRL 10515

The deposits were accompanied by: \_\_\_\_ a scientific description \_\_\_\_ a proposed taxonomic description indicated above.

The deposits were received July 26, 1990 by this International Depository Authority and have been accepted.

AT YOUR REQUEST:

X We will inform you of requests for the strains for 30 years.

The strains will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strains.

If the cultures should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace them with living cultures of the same.

The strains will be maintained for a period of at least 30 years after the date of deposit, and for a period of at least five years after the most recent request for a sample. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the cultures cited above was tested July 31, 1990. On that date, the cultures were viable.

International Depository Authority: American Type Culture Collection, Rockville, Md. 20852 USA

Signature of person having authority to represent ATCC:

Bobbie A. Brandon  
Bobbie A. Brandon, Head, ATCC Patent Depository

Date: July 31, 1990

cc: Carolyn R. Adler

BEST AVAILABLE COPY

EXHIBIT A